

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

| | | |
|---------------------------|---|-------------------------|
| UNITED STATES OF AMERICA, |) | CR. NO. 03-00048-01 SOM |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | |
| DEON JOSEPH, |) | |
| (01), |) | |
| |) | |
| Defendant. |) | DECLARATION OF COUNSEL |
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DECLARATION OF COUNSEL

LOUIS MICHAEL CHING, does hereby declare the following:

1. He is a CJA panel attorney, and HE was court-appointed to represent Defendant Deon Joseph on or about February 10, 2006;
2. A motion to withdraw his guilty plea was heard and denied on March 17, 2006 by the Honorable Susan Oki Mollway;
3. Sentencing is set for April 17, 2006, and thereafter, Defendant Joseph intends to appeal his case;
4. Defendant does not have confidence in Declarant to do his appeal;
5. Your Declarant does not have the resources to meet Defendant's demands in an appeal of his case;
6. There are CJA panel attorneys available who specialize in doing appeals;
7. Defendant Joseph has more confidence in these CJA panel appellate attorneys than in your declarant;

8. Defendant Joseph does not wish to discuss his appellate issues with anyone, except an appellate attorney from the CJA panel;

9. Further, your declarant sayeth naught.

I, THE UNDERSIGNED HEREIN, DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED: Honolulu, Hawaii, March 24, 2006.

A handwritten signature in dark ink, appearing to read "L. Michael Ching", is written over a horizontal line.

LOUIS MICHAEL CHING